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IAP11 Rec'd PCT/PTO 19 JUL 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.	:	Not yet assigned	Confirmation No.: Not yet assigned
Applicant(s)	:	Deolo FALCONE	
Filed	:	July 19, 2006	
Title	:	PRODUCT FOR MEASURING THE EFFECTIVENESS AND EFFICIENCY OF WARMING-UP AND WINDING-DOWN PHYSICAL EXERCISES AND TRAINING EQUIPMENT COMPRISING SAID PRODUCT	
TC/A.U.	:	Not yet assigned	
Examiner	:	Not yet assigned	
Docket No.	:	82062-0231	
Customer No.	:	24633	

**MAIL STOP PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT**  
UNDER 37 C.F.R. § 1.97(b)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the document(s) listed on the attached Form PTO-1449, which the Examiner may deem relevant to the patentability of the above-identified application.

Copies of the documents are not being provided since copies should have been provided directly by WIPO under an exchange program between the PTO, the EPO, and the JPO. The absence of a translation or English-language counterpart document does not relieve the PTO from its duty to consider any submitted documents (37 C.F.R. § 1.98 and MPEP §609).

This information disclosure statement is being filed within one of the following time periods: within three months of the filing date of this application other than a continued prosecution application, or within three months of the date of entry into the national stage of this international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114. Therefore, no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO-1449. The

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Application No. 82062-0231  
Information Disclosure Statement

references contained in this Information Disclosure Statement were first cited in the attached Search Report dated April 22, 2005, in counterpart International Application No. PCT/IT2005/000021.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art" against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

Dated: July 19, 2006

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Sheet 1 of 1

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 82062-0231	APPLICATION NO. Not yet assigned
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)		APPLICANTS Deolo FALCONE	
		FILING DATE July 19, 2006	GROUP Not yet assigned

#### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1	4,312,358 A	01/26/1982	Barney et al.			
	A2	4,509,531 A	04/09/1985	Ward et al.			
	A3	4,926,876 A	5/22/1990	Howard et al.			

#### FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	PUBLISHED DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							Yes	No

#### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), Title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	A4	H. GENOVELY, "Effects of Prolonged Warm-Up Exercise Above and Below Anaerobic Threshold on Maximal Performance", U.S. National Library of Medicine (NLM), 1982; and <u>European Journal of Applied Physiology and Occupational Physiology</u> , 1982, vol. 48, no. 3, pp. 323-330.
	A5	Patent Abstract of Japan, <u>Sanyo Electric Co LTD</u> , vol. 2000, no. 12, 2001.
	A6	K. R. NEWSHAM, "Comparison of Rectal and Tympanic Thermometry During Exercise", <u>U.S. National Library of Medicine (NLM)</u> , 2002, <u>Southern Medical Journal</u> , 2003, vol. 95, no. 8, pp. 804-810.
		International Search Report dated April 22, 2005 for International Patent Application No. PCT/IT2005/000021.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.